

**UNITED STATES DISTRICT COURT**  
**for**  
**EASTERN DISTRICT OF NORTH CAROLINA**  
**WESTERN DIVISION**

**U.S.A. vs. Angel Dario Rodriguez Nunez**

**Docket No. 5:12-CR-83-1F**

**Petition for Action on Probation**

COMES NOW Arthur B. Campbell, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Angel Dario Rodriguez Nunez, who, upon an earlier plea of guilty to Conspiracy to Violate the Clean Air Act, [18 U.S.C. § 371] and Making False Statements in Violation of the Clean Air Act and Aiding and Abetting, [18 U.S.C. §§ 7413(c)(2)(A) and 2], was sentenced by the Honorable James C. Fox, Senior U.S. District Judge, on February 20, 2013, to a 60 month term of probation under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall abide by all conditions and terms of the home detention program for a period not to exceed 180 consecutive days. The defendant shall be restricted to residence at all times except for pre-approved and scheduled absences for employment, education, religious activities, treatment, attorney visits, court appearances, court obligations or other activities as approved by the probation officer. The defendant shall wear an electronic monitoring device and follow electronic monitoring procedures specified by the probation officer. The defendant shall pay for electronic monitoring services as directed by the probation officer.
2. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.
3. The defendant shall submit a written weekly report to the probation office, if not regularly employed, of attempts to secure gainful employment.
4. The defendant shall cooperate in the collection of DNA as directed by the probation officer.
5. The defendant shall not incur new credit charges or open additional lines of credit without the approval of the probation office.
6. The defendant shall provide the probation office with access to any requested financial information.

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**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

Since the defendant's placement on probation he has not paid any monies towards his Special Assessment or his fine. This was partially the result of a requirement that he pay for his Location Monitoring services. Mr. Nunez completed his term of Location Monitoring and should be able to come into compliance with his monetary obligations. The probation office requests that the defendant be required to pay of \$50.00 per month until his Special Assessment of \$200.00 and his fine of \$100.00 are paid in full. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that probation be modified as follows:

1. The defendant shall pay \$50.00 per month as directed by the probation office until his fine and special assessment are paid in full.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/Jeffrey L. Keller  
Jeffrey L. Keller  
Supervising U.S. Probation Officer

/s/Arthur B. Campbell  
Arthur B. Campbell  
U.S. Probation Officer  
310 New Bern Avenue, Room 610  
Raleigh, NC 27601-1441  
Phone: (919) 861-8660  
Executed On: October 1, 2013

**ORDER OF COURT**

Considered and ordered this 1<sup>st</sup> day of October, 2013, and ordered filed and made a part of the records in the above case.

James C. Fox  
James C. Fox  
Senior U.S. District Judge